

Khazan Singh

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Ashish Jhamb, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. AG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the second petition under Section 439 of Cr.P.C., is for grant of regular bail to the petitioner during pendency of trial in case FIR No.24 dated 10.02.2021, registered under Section 20 (b), 29 (Act No.61) of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Rajound, District Kaithal, on the ground that recovery is of 1 kg 140 grams of *ganja phool patti* which is non-commercial, challan has been filed, charges have been framed and out of 13 prosecution witnesses only 7 witnesses have been examined, trial is likely to take considerable period of time to conclude, therefore, no useful purpose would be served by keeping the petitioner in custody.

2. Per contra, learned Addl. AG, Haryana, contends that the material witnesses have already been examined and that case is fixed before the learned trial Court for today and that in the circumstances, no

case is made out for release of the petitioner on regular bail especially in view of the fact that he is also involved in three other cases and after his release on bail in the aforementioned cases, the petitioner was again found indulging in peddling of drugs, as a result of which, he was arrested in the instant case.

3. I have considered the submission of learned counsel.

4. Admittedly, seven out of thirteen material prosecution witnesses have been examined, case is fixed before the learned trial Court for today, therefore, in the circumstances, it is deemed appropriate to dispose of the instant petition by directing the learned trial Court to examine the remaining prosecution witnesses and conclude the trial at the earliest.

5. The same is not opposed to by the learned Addl. AG, Haryana.

6. Accordingly, in view of the position noted above, the instant petition is disposed of by directing the learned trial Court to take steps to conclude the trial at the earliest preferably within three months from today. A copy of this order be sent to the learned trial Court to endeavour to conclude the trial within three months from today.

(B.S. Walia)
Judge

07.04.2022
rajesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No